

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

FILED BY g D.C.
05 AUG 11 AM 10:07
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, JACKSON

TIMOTHY D. HARDIN,

Plaintiff,

and

LEROY-SOMER NORTH AMERICA,

Intervening Plaintiff,

v.

Civil No.: 1 – 04 – 1032 – T – AN

**SKYJACK, INC.; NES;
NES RENTALS; NATIONAL
EQUIPMENT SERVICES; AND
AN UNKNOWN “NES” ENTITY,**

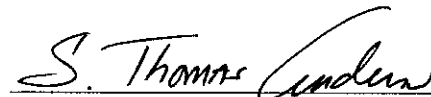
Defendants.

ORDER

On March 1, 2005, the Court entered an order suspending case scheduling and holding the case scheduling in abeyance pending mediation of this case, which the parties had scheduled for June 23, 2005. All of the parties have jointly filed a Motion for a revised Order Suspending Case Scheduling and Holding the Case Scheduling in Abeyance pending mediation of this case, which the parties have rescheduled for September 26, 2005, in order to allow sufficient time for the Brambles defendants to serve their Initial Disclosures and prepare for mediation and for Magnetek Reynosa and Magnetek to be served and participate in the mediation if they so desire. The parties assert that judicial economy and significant cost savings will be realized by the Court and the parties by allowing mediation to proceed before formal scheduling of the case.

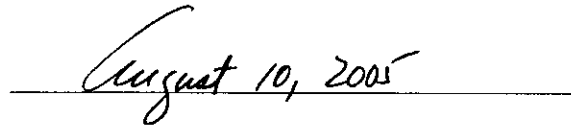
The Court agrees that judicial economy and cost savings will be realized by the Court and the parties by allowing the mediation to proceed before formal scheduling of this case.

Accordingly, the parties are hereby ORDERED to notify this court on or before October 11, 2005 of the result of the mediation. In the interim, the case scheduling shall be held in abeyance pending the mediation; and in the event the mediation is not successful, a scheduling conference will be set at that time. IT IS SO ORDERED.



S. THOMAS ANDERSON
U. S. MAGISTRATE JUDGE

Date:



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Notice of Distribution

This notice confirms a copy of the document docketed as number 57 in case 1:04-CV-01032 was distributed by fax, mail, or direct printing on August 11, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT